WILLIAMS MULLEN

Direct Dial: 202.293.8111
jshepard@williamsmullen.com

July 7, 2006

ELECTRONICALLY FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: **MB Docket No. 03-15**
Television Station KULR-DT, Billings, Montana (Facility Id. No. 35724),
Request for Temporary Waiver of July 1, 2006, Interference Protection Deadline

Dear Ms. Dortch:

On behalf of MMM License II LLC (FRN: 0011094281) ("MMM"), the licensee of television broadcasting station KULR-DT, Billings, Montana, we hereby request a waiver of the July 1, 2006, interference protection deadline in accordance with the procedures set forth in FCC Public Notice DA 06-1255, released June 14, 2006.

KULR-TV, Channel 8, and its digital counterpart, KULR-DT, Channel 11, was acquired by MMM in 2004, following FCC consent to the assignment of license (File No. BALCT-20030930AVI). The former licensee elected replication coverage for KULR-DT on its DTV channel assignment. Currently, the station is licensed at less-than-replication facilities (see File No. BLCDT-20020506ABF). KULR-DT is currently licensed at 6.08 ERP with an antenna height of 190.7 HAAT. The current KULR-DT facility provides complete coverage of the community of license and serves 96% of its replication population.

KULR-DT is in the process of filing an application for modification of license specifying full replication facilities. As set forth and explained more fully in the attached Exhibits A and B, KULR-DT is unable to meet the interference protection deadline because progress in constructing the replication facilities was delayed due to unforeseeable circumstances, i.e., the tower for the DTV facilities was discovered to vary significantly from its stated specifications and required modifications in order to support the replication facilities safely. The ANSI/TIA construction standards for such modifications were not finally resolved until June 22, 2006. Construction of the replication facilities will resume as soon as possible. The tower work is under contract (see Exhibit B) and the equipment necessary to complete

construction is on order. When the tower modifications are completed, and the DTV equipment is delivered, the final steps in construction will proceed.

Waiver of the interference protection deadline is warranted and in the public interest as station KULR-DT has made the commitment to serve its community with replication facilities and will do so as soon as the circumstances beyond its control are remedied.

Respectfully submitted,

Julian L. Shepard

cc: Shaun Maher (via email)
Attachments: Exhibit A (Declaration of Charles C. Stanton)
Exhibit B (Letter from Jack W. Boone)

DECLARATION OF CHARLES C. STANTON

Under penalty of perjury I, Charles C. Stanton, of Stancom, 4401 Leatherwood Drive Virginia Beach, Virginia, 23462, hereby declare that:

1. I am a Consulting Engineer who has over 40 years of experience in the design, procurement, installation and testing of Broadcast and other Telecommunications systems around the world. Further, over the past fourteen years I have consulted with and have designed, procured, installed and tested multiple new and upgraded TV and FM broadcast facilities for the principals of Max Media LLC ("Max Media"). Further, I have personal knowledge (except where noted) of the following facts concerning the construction of digital television facilities for MMM License II LLC, a subsidiary of Max Media, the licensee of full power television station KULR-TV, located in Billings, Montana:

2. KULR-TV is currently licensed to operate on NTSC Channel 8, and KULR-DT has been licensed to operate at 6.08 kW on DTV Channel 11.

3. KULR-DT elected replication coverage on Channel 11 for its post-transition DTV operation.

4. KULR-DT's replication coverage on Channel 11 requires the construction of a 14.5 kW facility by the July 1, 2006 "use-it-or-lose-it" construction deadline ("Construction Deadline").

5. Based on an analysis provided by Communications Technologies, Inc., P.O. Box 1130, Marlton, NJ 08053, the current KULR-DT facility completely covers its community of license and serves 96% of its replication population.

6. KULR-DT initially planned to meet the Construction Deadline by upgrading its existing transmitter to 3.08 kW and increasing the transmit antenna from a two high by three

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around array to a four high by four around array. These modifications will allow KULR-DT to provide service to its entire replication population.

7. In preparation for construction, a physical inspection of the tower revealed significant variations from data included in older tower analyses. Also, the tower as it was built did not comply with the latest tower design standards. Note: the tower was built in the late 50's or early 60's to much different standards. As a result of these findings, it was determined that the tower would require strengthening before the antenna upgrade could be installed.

8. These tower modifications are subject to the latest version of the ANSI/TIA tower construction standard governing tower construction and loadings. It was determined that the top mounted, wind gust response factor ("Wind Gust Factor"), which was previously set at 1.1, version "F" of the standard, was being changed, effective January 1, 2006, to 1.35. Many in the broadcast industry, including KULR-DT's tower consultants, opposed the increase from 1.1 to 1.35.

9. A number of groups submitted petitions for relief to the Electronic Industries Association Committee, asking that the Wind Gust Factor be changed.

10. The tower rework project was temporarily suspended on April 7, 2006, awaiting the final resolution of the standards issue.

11. KULR-DT had been waiting for the final determination on the Wind Gust Factor issue, until notification by their tower consultant, on July 29, 2006, that the matter had been resolved. Based upon this determination, KULR-DT is in the process of reevaluating the required tower modifications in light of the new Wind Gust Factor decision. That information and a quote for the required tower upgrades for compliance with the current standards is now in

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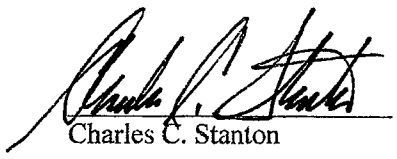
hand. An order will be placed this week to proceed to completion of this effort, which is estimated at 90-120 days.

12. The equipment for the transmitter antenna upgrade is on order, and the transmitter upgrade order will be placed the first week in July, now that the tower issue has been resolved. The antenna should be delivered in August, and it will be installed as part of the tower rework project. The transmitter modifications should be available during the same time period.

13. KULR-DT has been actively working to complete the required construction, and, subject to equipment availability, I estimate that full, authorized DTV facilities will be constructed by November 15, 2006.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 7, 2006.



Charles C. Stanton

EXHIBIT B

BTTi Broadcast Tower Technologies, Inc.

Keeping Broadcasters on the Air

Charlie Stanton
4401 Leather Wood Dr.
Virginia Beach, VA 23462

June 27, 2006

Ref: KULR-TV

Dear Mr. Stanton,

As stated in our original tower analysis, the documentation we had available on the KULR tower in Billings, MT contained conflicting data on the top sections of the tower and required a first hand inspection of the structure. I personally flew to Billings and inspected the tower on February 7, 2006. The results of that visit and the inspection required that we revise the analysis and changed the outcome by a considerable amount. Part of these changes were directly related to the wind loading requirements of the new ANSI/TIA-222 specification. Unfortunately the new specification required that we use a 1.35 gust response factor on any cantilevered appurtenance that extended above the top guy wires and was of a certain shape factor.

The KULR tower and top antenna fell into that category. This caused the tower to fail catastrophically at the top. We had already found this condition with other towers and had petitioned the EIA committee on the 222 standard for relief for this condition. Other engineers had submitted similar requests and this subject along with several others were addressed at a group meeting on May 15th of this year.

The committee approved all the changes suggested for the 222 standard and we are currently waiting for the official release of these changes to finalize the KULR analysis and determine the actual reinforcement required to bring the tower up to code. We anticipate this new document very soon and can begin working on the upgrades shortly thereafter.

Sincerely yours,

Jack W. Boone, VP
Broadcast Tower Technologies, Inc.

4551 San Siro Dr.
Sarasota, FL 34235
(941)359-8833, fax (941)355-0233